Manitoba

Annual Report 1986 - 87

Agriculture

The Manitoba
Farm Lands
Ownership Board

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THE FARM LANDS OWNERSHIP BOARD
805 - 401 York Avenue
Winnipeg, Manitoba
R3C 0P8

September 24, 1987

The Honourable Leonard Harapiak
Minister of Agriculture
165 Legislative Building
Winnipeg, Manitoba
R3C 0P8

Dear Mr. Harapiak:

I have the honour to submit The Annual Report of The Manitoba Farm Lands Ownership Board for the period April 1, 1986 to March 31, 1987.

Respectfully submitted,

Frieda Krpan, Chairman
THE MANITOBA FARM LANDS OWNERSHIP BOARD

ANNUAL REPORT OF THE MANITOBA FARM LANDS OWNERSHIP BOARD
FOR THE PERIOD APRIL 1, 1986 to MARCH 31, 1987

The Manitoba Farm Lands Ownership Board is a quasi-judicial and administrative body established under 6(1) of The Farm Lands Ownership Act. The Board is responsible for the administration and enforcement of The Farm Lands Ownership Act as well as certain additional duties and powers as specified in the Legislation.

BOARD MEMBERS

Frieda Krpan, Chairman	-	St. Laurent, Manitoba
Otto Fielman, Vice-Chairman	-	Rosenfeld, Manitoba
Pierre Lambert, Member	-	St. Malo, Manitoba
Jack Cox, Member	-	Minitonas, Manitoba
Charles Williams, Member	-	Souris, Manitoba

ADMINISTRATION

Richard Loeb, Executive Director
R. Winters, Solicitor, Department of Attorney General

STAFF

H. Dale Osborne, Investigations Officer
Dorothy Nowicki, Administrative Assistant
Marian Ferens, Clerk

GENERAL

The Farm Lands Ownership Act was passed by the Legislature in 1983, and Proclaimed September 26, 1984.

The Administration of the Act involves the Board and administrative staff in all areas relating to the acquiring of an interest in farm land in Manitoba.

Certain categories of persons can acquire or hold an interest in Manitoba farm land

without restriction or limitation. These include (a) a resident, (b) a family farm corporation (as defined in the Act), (c) a Municipality, (d) a Local Government District; or (e) an agency of the Government. The Act is not retroactive.

Non residents can acquire an interest in Manitoba farm land if it is bequeathed to them by a Manitoba resident, a retired farmer, or the spouse of a retired farmer.

A retired farmer or his/her spouse or an active farmer or his/her spouse who has farmed for at least ten years, may also convey an interest in farm land to certain immediate relatives, even though these may be non residents.

BOARD ACTIVITIES

Under 3(3) of The Farm Lands Ownership Act, the Board has authority to exempt individuals, corporations, farm land or an interest in farm land, etc., from any provisions of the Legislation.

The Board met nine times between April 1, 1986 and March 31, 1987 to consider applications for exemptions. Two telephone conference meetings were also held.

One hundred and forty-two applications for exemptions were considered by the Board. One hundred twenty-one applications were approved while twenty-one applications were denied. Farm land involved in the applications totalled 76,481.00 acres. Exemption approvals constituted 67,734.73 acres (88.5%).

Regulation 204/87 R includes Guidelines to assist the Board when considering applications for exemptions. The Board approved 21 applications under 2(a) and 2(b) of the Regulations, (intention to become a Manitoba resident), involving 4,062.76 acres.

Sixteen applications under 2(c) of the Regulation (applicant is a religious, charitable or non-profit organization) were approved. These applications involved 6,508.48 acres of Manitoba farm land.

The Board approved eight applications under 2(d) of the Regulation (applicant resides and farms within 10 miles of the Manitoba border), affecting 2,880 acres.

Seventy-three applications under 2(e) and 2(f) of the Regulation (likely to confer a significant benefit on the Province, or is in the public interest) were approved. Involved were 53,822.59 acres.

The Board denied twenty-one applications, involving 8,746.27 acres. Upon review, three denials affecting 460.90 acres were rescinded, and approval was granted.

ADMINISTRATION

The 1986/87 year continued to be a demanding one for the Board and staff. Inquiries from individuals, law and real estate firms seeking information and assistance on the Legislation continue to be dealt with by the office.

Under the Real Property Act and Registry Act, transfers of land over five acres tendered for registration must be accompanied by a statutory declaration stating information pertinent to the transaction. These forms are forwarded to the Board office. In the period April 1, 1986 to March 31, 1987, the office received and processed 5,865 statutory declarations.

The Board office supplies data for statistical purposes to the Economic Analysis section. The acquisition of an office computer has improved the delivery of these data for this purpose.

SUMMARY

The administration and enforcement of The Farm Lands Ownership Act has continued smoothly as the public, Board and staff continue to become more familiar with the Legislation.

September 15, 1987